

REMARKS

Applicants gratefully acknowledge the Examiner's indication that claims 2 and 20 are directed to allowable subject matter.

In the Office Action mailed August 1, 2005, claims 1-3, 4, 5, 7, 9-14, 19 and 21-25 stand rejected under 35 USC 103(a) as being obvious over U.S. Patent 3,867,5867 to Maekawa et al. (hereinafter "Maekawa et al.") in view of U.S. Patent No. 3,930,5661 to Kayman (hereinafter "Kayman"). Claim 6 stands rejected under 35 USC 103(a) as being obvious over Maekawa et al. and Kayman further in view of PCT WO/99/04599. Claims 15 and 26 stand rejected under 35 USC 103(a) as being obvious over Maekawa et al. and Kayman further in view of U.S. Patent No. 6,116,373 to Dodd (hereinafter "Dodd"). Claims 16 and 27 stand rejected under 35 USC 103(a) as being obvious over Maekawa et al. and Kayman further in view of U.S. Patent No. 5,701,358 to Larsen (hereinafter "Larsen"). Claims 17 and 28 stand rejected under 35 USC 103(a) as being obvious over Maekawa et al. and Kayman further in view of U.S. Patent No. 6,002,780 to Espiritu (hereinafter "Espiritu"). Claims 18 and 29 stand rejected under 35 USC 103(a) as being obvious over Maekawa et al. and Kayman further in view of U.S. Patent Publ. No. 2003/0002694 to Thiele (hereinafter "Thiele"). Applicants have amended the independent claims 1 and 19 to more particularly define the present invention over the cited prior art.

More particularly, amended claim 1 recites, *inter alia*,

... a speaker driver for reproducing sound within **an extended frequency range that includes a high frequency band between 8 kHz and 11 kHz; and**

a horn disposed adjacent said speaker driver, said horn having a throat and a mouth with an axi-symmetrical waveguide surface extending therebetween, said throat disposed substantially adjacent said speaker driver, **said waveguide surface having a circular cross-section along its entire length between said throat and said mouth, and said waveguide surface dispersing sound within the extended frequency range at a dispersion angle greater than 90 degrees.**

Nowhere does the cited prior art teach or suggest these features.

The Examiner has noted that Mackawa et al. does not expressly disclose a horn with an axi-symmetrical waveguide surface, but goes on to use Kayman for this purpose. Kayman discloses a horn with two distinct parts 14, 20 extending from the throat 12 to its mouth 26. The first part 14 has a circular conical cross-section throughout (col. 2, lines 33-35). The second part 20 has a square cross-section throughout (col. 2, lines 59-63), and employs a complicated flare that extends from a circle of about  $\frac{3}{4}$  inches in diameter to a square of  $\frac{1}{2}$  inches on a side at the horn mouth (Col. 2, lines 55-57). The square cross-section of the mouth 26 and the second part 20 leading thereto is required for symmetrical sound dispersion (Col. 2, lines 59-64). This configuration of Kayman (which employs the square cross-section of the second part 20) explicitly teaches away from the horn configuration of claim 1, which requires that the waveguide surface have **“a circular cross-section along its entire length between said throat and said mouth.”** Thus, the cited prior art does not teach or suggest all the elements of claim 1. For these reasons, Applicants respectfully submit that claim 1 is patentable over the cited prior art. Similar arguments apply to independent claim 19.

The dependent claims are patentable over the cited prior art for those reasons advanced above with respect to the independent claims 1 and 19 from which they respectfully depend and for reciting additional features that are neither taught nor suggested by the cited prior art.

In light of all of the above, it is submitted that the claims are in order for allowance, and prompt allowance is earnestly requested. Should any issues remain outstanding, the Examiner is invited to call the undersigned attorney of record so that the case may proceed expeditiously to allowance.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jay P. Sbrollini". The signature is fluid and cursive, with the first name "Jay" being the most prominent.

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